

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA

vs.

ROSS ROGGIO,
Defendant

NO.: 3:CR-18-0097

(JUDGE MARIANI)

MOTION TO CONTINUE SENTENCING

The Defendant, Ross Roggio, by and through his court-appointed counsel, William J. Watt, III, Esquire, files the following Motion to Continue Sentencing scheduled for Wednesday, October 25, 2023, and in support thereof submits the following:

1. On March 20, 2018, the Defendant was charged in an Indictment with conspiracy to commit an offense against the United States, in violation of Title 18, United States Code, Section 371; violations of the Arms Export Control Act, Title 22, United States Code, Sections 2778(b) and (c); and the International Emergency Powers Act, Title 50, United States Code, Sections 1702 and 1705(c); smuggling goods from the United States, in violation of Title 18, United States Code Sections 554 and 2; wire fraud, in violation of Title 18, United States Code Section 1342; and money laundering, in violation of Title 18, United States Code, Sections 1956(a)(2)(A) and 2. (Doc. 1).

2. On March 23, 2018, the Defendant appeared before Magistrate Judge Karoline Mehalchick for an initial appearance and arraignment and entered a plea of not guilty to the charges. (Doc. 9).

3. On February 15, 2022, the Defendant was charged in a Superseding Indictment with two additional charges; Conspiracy to Commit Torture in violation of Title 18, U.S.C. Sections 2340 and 2340A(c), and Torture in violation of Title 18, U.S.C. Sections 2340, 2340(A)(a) and 2. (Doc 122).

4. On February 17, 2022, the Defendant was arraigned before Magistrate Judge Joseph R. Saporito on the Superseding Indictment and entered a plea of not guilty. (Doc. 132).

5. On May 19, 2023, following a jury trial, the Defendant was convicted of all the aforementioned charges. (Doc. 319).

6. By way of Order dated July 12, 2023, the Honorable Robert D. Mariani scheduled sentencing for Wednesday, October 25, 2023 at 2:00 p.m., in the William J. Nealon Federal Building and U.S. Courthouse, 235 N. Washington Avenue, Scranton, Pennsylvania. (Doc. 328).

7. On August 21, 2023, Gino A. Bartolai, Esquire filed a Motion to Withdraw as Court Appointed Counsel. (Doc. 334).

8. Thereafter on August 23, 2023, the undersigned was appointed to represent the Defendant. (Doc. 337).

9. The undersigned defense counsel and the Defendant request a continuance of the sentencing to obtain prior counsel's file and have adequate time to review this matter with the Defendant and otherwise prepare for sentencing.

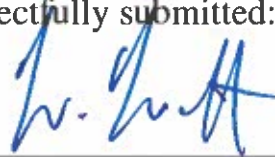
10. On October 3, 2023, the undersigned contacted Assistant U.S. Attorney Todd K. Hinkley to inquire whether or not he concurs with this Motion. Attorney Hinkley concurs with the relief requested herein.

11. The interests of justice outweigh the public and Defendant's interests for a speedy trial.

12. The time required for this request is considered excludable time under the Speedy Trial Act.

WHEREFORE, the Defendant, Rogg Roggio, respectfully requests that this Honorable Court grant his Motion for Continuance of Sentencing.

Respectfully submitted:



William J. Watt, III, Esquire
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Attorney for Ross Roggio

Date: October 10, 2023

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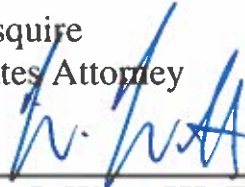
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(JUDGE MARIANI)

CERTIFICATE OF SERVICE

I, William J. Watt, III, Esquire do hereby certify that I served the foregoing
Motion to Continue Sentencing via ECF:

Todd K. Hinkley, Esquire
Assistant United States Attorney



William J. Watt, III, Esquire
Attorney for Ross Roggio, Defendant

Date: October 10, 2023